

II. Remarks

Reconsideration and re-examination of this application in view of the above amendments and the following remarks is herein respectfully requested.

After entering this amendment, claims 1-8 remain pending.

Claim Rejections - 35 U.S.C. § 112

Claim 1 was rejected under 35 U.S.C. § 112, second paragraph, as being indefinite on the basis for failing to particularly point and distinctively claim that subject matter which the applicant regards as the invention. More specifically, Claim 1 lacked an antecedent for “perimeter”. Claim 1 has been amended to change an the word “perimeter” to the word “border.” Accordingly, it is believed that this rejection is now moot and should be withdrawn.

Claim 7 was rejected under 35 U.S.C. § 112, second paragraph, as being indefinite on the basis for failing to particularly point and distinctively claim that subject matter which the applicant regards as the invention. More specifically, Claim 7 was not understood in “compress a channel”. Claim 7 has been amended to specifically to clarify that which the Applicants regard as the subject matter of the present invention. Accordingly, it is believed that this rejection is now moot and should be withdrawn.

Further Claim Clarifications

Prior to discussing the prior art references, it is believed that a brief discussion on the current form of the independent claims of this application is warranted. The

original independent claim of this application has been amended to clarify, more particularly to point out and distinctly claim that which applicant regards as the subject matter of the present invention. Specifically, Claim 1 now recites that a bead directly contacts and adhesively bonds the panel border to the window frame, and Claim 7 now recites that an adhesive bead directly contacts and bonds the interior panel side at the border to the window frame;

Claim Rejections - 35 U.S.C. §103(a)

Claims 1 and 8 were rejected under 35 U.S.C. § 103(a) as being unpatentable over the prior art in view of U.S. Patent No. 5,560,671 to Ojanen et al ("the '671 Patent"). Applicant respectfully traverses this rejection.

The '671 Patent individually fails to disclose or suggest a feature lacking in application, namely a bead directly contacting and adhesively bonding the fixed window panel 12 to the flexible top 21. The '671 Patent teaches that guide rail 28 for a sliding window 14 may be adhesively bonded to the perimeter of a fixed window panel 12 at 51 and that extension 26 may also be adhesively bonded to the window frame, in this case a flexible top 21, by bead 50. However, the '671 Patent does not disclose or suggest adhesively bonding the window panel 12 to the flexible top 21 by a bead directly contacting the window panel 12 and the top 21. In such an instance, should there be a failure in the bond between the guide rail and the top, the window panel becomes unsupported. In the present invention this could not occur because the bead directly contacts both the guide rail and the window panel. Failure of one does not necessarily cause failure of the other.

In that the '671 Patent fails to disclose or suggest that the adhesive bond of the bead be located directly between the window panel 12 and the flexible top 21, it

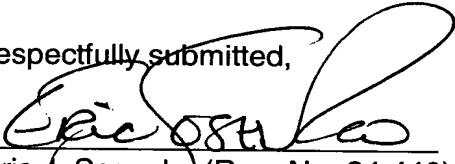
must be concluded that the '671 Patent cannot render the claims of the present application as obvious. The rejection under § 103 is therefore improper and should be withdrawn.

Conclusion

In view of the above amendments and remarks, it is respectfully submitted that the present form of the claims are patentably distinguishable over the art of record and that this application is now in condition for allowance. Such action is requested.

9/24/04
Date

Respectfully submitted,


Eric J. Sosenko (Reg. No. 34,440)